# **Economic Development Queensland**



# Oxley Priority Development Area

**Development Charges and Offset Plan** 

\*Indicative view from Cliveden Avenue



#### Copyright

This publication is protected by the Copyright Act 1968.

#### Licence



This work, except as identified below, is licensed by the Department of State Development under a Creative Commons Attribution-No Derivative Works (CC BY-ND) 4.0 Australia licence. To view a copy of this licence, visit: http://creativecommons.org.au/

You are free to copy and communicate this publication, as long as you attribute it as follows:

© State of Queensland, Department of State Development, Tourism and Innovation, July 2020.

Third party material that is not licensed under a Creative Commons licence is referenced within this document. All content not licensed under a Creative Commons licence is all rights reserved. Please contact the Department of State Development, Tourism and Innovation, the copyright owner, if you wish to use this material.



The Queensland Government is committed to providing accessible services to Queenslanders of all cultural and linguistic backgrounds. If you have difficulty understanding this publication and need a translator, please call the Translating and Interpreting Service (TIS National) on 13 14 50 and ask them to contact the Department of State Development, Tourism and Innovation on 07 3452 7100.

#### Disclaimer

While every care has been taken in preparing this publication, to the extent permitted by law, the State of Queensland accepts no responsibility and disclaims all liability (including without limitation, liability in negligence) for all expenses, losses (including direct and indirect loss), damages and costs incurred as a result of decisions or actions taken as a result of any data, information, statement or advice, expressed or implied, contained within. To the best of our knowledge, the content was correct at the time of publishing.

Any references to legislation are not an interpretation of the law. They are to be used as a guide only. The information in this publication is general and does not take into account individual circumstances or situations. Where appropriate, independent legal advice should be sought.

Copies of this publication are available on our website at www.edq.qld.gov.au and further copies are available upon request to:

#### **Economic Development Queensland**

Department of State Development, Tourism and Innovation GPO Box 2202, Brisbane, Queensland 4001.

1 William Street Brisbane Qld 4001 (Australia)

Phone: 13 QGOV (13 7468)
Email: edq@dsdmip.qld.gov.au
Web: www.edq.qld.gov.au

# **Contents**

1	Prel	iminary	4	
	1.1	Economic Development Act	4	
	1.2	Oxley Priority Development Area	4	
	1.3	Application of the Development Charges and Offset Plan	4	
	1.4	Purpose of the DCOP	4	
2	Dev	elopment charges	7	
	2.1	Charge categories	7	
	2.2	Development charges for reconfiguring a lot or material change of use	8	
	2.3	Calculating an infrastructure charge	11	
	2.4	Credits for infrastructure charges	12	
	2.5	Development exempt from infrastructure charges	12	
	2.6	Delayed infrastructure charges	12	
	2.7	Indexation of infrastructure charges	13	
	2.8	Payment of infrastructure charges	13	
3	Infrastructure offsets and refunds			
	3.1	Application of an offset	14	
	3.2	Requesting a provisional trunk infrastructure offset	14	
	3.3	Works contribution – cost estimate	14	
	3.4	Land contribution – cost estimate	16	
	3.5	Determining a request for a provisional trunk infrastructure offset	16	
	3.6	Timing of a final trunk infrastructure offset	16	
	3.7	Application for a final trunk infrastructure offset	17	
	3.8	Deciding a final trunk infrastructure offset	17	
	3.9	Trunk infrastructure refunds	18	
	3.10	Entitlement to a refund	18	
		Determining a request for a refund		
4	Trur	nk infrastructure plans	19	
	4.1	Schedules of works	19	
	4.2	Trunk infrastructure map		
5	Defi	nitions	21	

# 1 Preliminary

#### 1.1 Economic Development Act

The *Economic Development Act 2012* (the ED Act)<sup>1</sup> establishes the Minister for Economic Development Queensland (MEDQ) as a corporation sole to exercise the functions and powers of the ED Act.

The main purpose of the ED Act<sup>2</sup> is to facilitate economic development, and development for community purposes, in the state. The ED Act<sup>3</sup> seeks to achieve this by establishing the MEDQ and providing for a streamlined planning and development framework for particular parts of the state declared as priority development areas (PDAs).

The ED Act<sup>4</sup> provides for the MEDQ to fix charges and other terms for the provision of infrastructure in PDAs.

This document is the Development Charges and Offset Plan (DCOP) made by the MEDQ<sup>5</sup> for the Oxley PDA.

#### 1.2 Oxley Priority Development Area

The Oxley PDA (PDA) was declared by regulation<sup>6</sup> on 10 August 2018.

The PDA comprises approximately 19 hectares of land bordered by Cliveden Avenue to the north, bushland to the west, existing residential dwellings on Blackheath Road to the east and Seventeen Mile Rocks Road to the south. The boundaries of the PDA are shown on Map 1.

### 1.3 Application of the Development Charges and Offset Plan

The Oxley PDA DCOP is applicable to all development on land and water within the boundaries of the PDA.

The DCOP became effective on 22 June 2020.

## 1.4 Purpose of the DCOP

The DCOP is a policy document which is intended to provide guidance to the MEDQ on infrastructure matters for a development application and states the following for the PDA:

- i. the development charge for the provision of trunk infrastructure for the following networks:
  - a. water supply

<sup>&</sup>lt;sup>1</sup> See section 8 of the ED Act.

<sup>&</sup>lt;sup>2</sup> See section 3 of the ED Act.

<sup>&</sup>lt;sup>3</sup> See section 4 of the ED Act.

<sup>&</sup>lt;sup>4</sup> See section 10 of the ED Act. <sup>5</sup> See section 10 of the ED Act.

<sup>&</sup>lt;sup>6</sup> See section 37 of the ED Act.

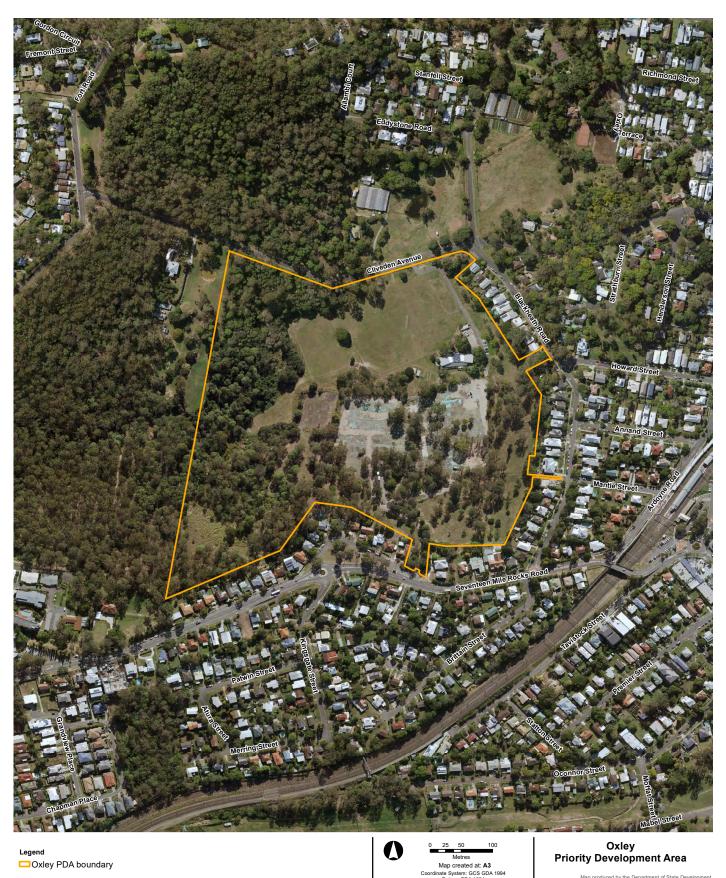
- b. sewerage
- c. stormwater
- d. transport
- e. parks and community facilities
- ii. the trunk infrastructure plans and schedules of works
- iii. matters relevant to calculating a credit, offset or refund for the provision of trunk infrastructure.

Development charges will contribute to funding the cost of trunk infrastructure which is proposed to service development within the PDA.

On and from the date the DCOP takes effect, the Infrastructure Funding Framework has no application for the Oxley PDA. Additionally, to the extent of any inconsistency, the DCOP prevails over other EDQ instruments concerning charges, credits, offsets and refunds, including, without limitation the following EDQ guidelines or practice notes:

- i. Practice note 16 Calculation of offsets for affordable and diverse housing
- ii. Practice note 17 Calculation of offsets for ecologically sustainable design.

Map 1: PDA Boundary



Imagery: 2019, 10cm resolution

# 2 Development charges

# 2.1 Charge categories

This DCOP categorises the uses defined in the PDA development scheme stated in column 2, into the charge categories stated in column 1, Table 1.

Where a 'use' is not listed in column 2 of Table 1 (including where a 'use' is unknown because the PDA development application does not specify a proposed 'use' or where a 'use' is undefined in the PDA development scheme), the MEDQ will determine the appropriate charge category to apply based on an assessment of the 'use' and the demand placed upon the trunk infrastructure networks by the development.

Table 1: Charge categories and uses

Column 1	Column 2
Charge category	Use type under the PDA development scheme
Residential development	
Residential	Caretaker's accommodation, Dual occupancy, Dwelling house, Multiple dwelling, Dwelling unit
Accommodation (long-term)	Community residence, Retirement facility, Rooming accommodation (boarding house, hostel, monastery), Nonresident workforce accommodation, Rural workers' accommodation
Accommodation (short-term)	Hotel (residential component), Short-term accommodation
Non-residential development	
Commercial (bulk goods)	Agricultural supplies store, Bulk landscape supplies, Garden centre, Hardware and trade supplies, Outdoor sales, Showroom
Commercial (retail)	Adult store, Food and drink outlet, Service industry, Service station, Shop, Shopping centre
Commercial (office)	Office, Sales office
Education facility	Childcare centre, Community care centre, Educational establishment
Entertainment	Hotel (non-residential component), Nightclub Entertainment facility
Essential services	Emergency services, Health care services, Residential care facility, Veterinary services
Indoor sport and recreational facility	Indoor sport and recreation
Industry	Low impact industry, Research and technology industry, Warehouse,
Places of assembly	Club, Community use, Function facility, Funeral parlour, Place of worship

Column 1 Charge category	Column 2 Use type under the PDA development scheme
Other uses	Air services, Animal keeping, Car wash, Crematorium, Environment facility Undefined use
Minor uses	Home-based business, Landing, Market, Park, Roadside stall, Substation, Telecommunications facility, Temporary use

# 2.2 Development charges for reconfiguring a lot or material change of use

The following types of charges (the sum of which equal the development charge) apply to development in the PDA:

i. infrastructure charges.

Infrastructure charges are payable for the following development:

- i. Reconfiguring a lot the infrastructure charge rates for reconfiguring a lot are set out in Table 2.
- ii. Material change of use the infrastructure charge rates for a material change of use are set out in Table 3.

Table 2: Infrastructure charge rates for reconfiguring a lot

Demand unit	Infrastructure charge rates (\$ per lot created)
Lot	29,339.55

Table 3: Infrastructure charge rates for material change of use

Residential use	Demand unit	Infrastructure charge rates (\$ per demand unit)
Residential charge category		(\$ per demand dint)
Durallia a harras	1 or 2 bedroom dwelling	20,956.80
Dwelling house	3 or more bedroom dwelling	29,339.55
Dual common ou	1 or 2 bedroom dwelling	20,956.80
Dual occupancy	3 or more bedroom dwelling	29,339.55
O-mataliania a-a-mana datian	1 or 2 bedroom dwelling	20,956.80
Caretaker's accommodation	3 or more bedroom dwelling	29,339.55
Multiple duralling	1 or 2 bedroom dwelling	20,956.80
Multiple dwelling	3 or more bedroom dwelling	29,339.55
Devalling unit	1 or 2 bedroom dwelling	20,956.80
Dwelling unit	3 or more bedroom dwelling	29,339.55

Residential use	Demand unit	Infrastructure charge rates (\$ per demand unit)
Accommodation (short-term)	charge category	
	Suite with 1 or 2 bedrooms	9,430.56
Hotel (residential component)	Suite with 3 or more bedrooms	13,621.91
	Bedroom that is not part of a suite	9,430.56
	Suite with 1 or 2 bedrooms	9,430.56
Short-term accommodation	Suite with 3 or more bedrooms	13,621.91
	Bedroom that is not part of a suite	9,430.56
Accommodation (long-term)	charge category	
	Suite with 1 or 2 bedrooms	18,861.10
Community residence	Suite with 3 or more bedrooms	27,243.85
	Bedroom that is not part of a suite	18,861.10
	Suite with 1 or 2 bedrooms	18,861.10
Hostel	Suite with 3 or more bedrooms	27,243.85
	Bedroom that is not part of a suite	18,861.10
	Suite with 1 or 2 bedrooms	18,861.10
Retirement facility	Suite with 3 or more bedrooms	27,243.85
	Bedroom that is not part of a suite	18,861.10
	Suite with 1 or 2 bedrooms	18,861.10
Rooming accommodation	Suite with 3 or more bedrooms	27,243.85
	Bedroom that is not part of a suite	18,861.10

Non-residential use	Infrastructure charge rates for trunk infrastructure networks other than stormwater (\$ per demand unit of m² of GFA)	Infrastructure charge rates for stormwater trunk infrastructure network (\$ per demand unit of m² of impervious area)			
Places of assembly charge ca	ategory				
Function facility	73.35	10.50			
Club	73.35	10.50			
Community use	73.35	10.50			
Funeral parlour	73.35	10.50			
Place of worship	73.35	10.50			
Commercial (bulk goods) cha	Commercial (bulk goods) charge category				
Agricultural supplies store	146.70	10.50			
Bulk landscape supplies	146.70	10.50			
Garden centre	146.70	10.50			
Hardware and trade supplies	146.70	10.50			

Non-residential use	Infrastructure charge rates for trunk infrastructure networks other than stormwater (\$ per demand unit of m² of GFA)	Infrastructure charge rates for stormwater trunk infrastructure network (\$ per demand unit of m² of impervious area)	
Outdoor sales	146.70	10.50	
Showroom	146.70	10.50	
Commercial (retail) charge of	ategory	<u>,                                      </u>	
Adult store	188.60	10.50	
Food and drink outlet	188.60	10.50	
Service industry	188.60	10.50	
Service station	188.60	10.50	
Shop	188.60	10.50	
Shopping centre	188.60	10.50	
Commercial (office) charge	category	<u>,                                      </u>	
Office	146.70	10.50	
Sales office	146.70	10.50	
Educational facility charge of	ategory		
Childcare centre	146.70	10.50	
Community care centre	146.70	10.50	
Educational establishment	146.70	10.50	
Entertainment charge category			
Hotel (non-residential component)	209.55	10.50	
Nightclub entertainment facility	209.55	10.50	
Theatre	209.55	10.50	
Resort complex	209.55	10.50	
Indoor sport and recreations	l facility charge category		
Indoor sport and recreation	209.55 (excludes court areas)	10.50	
facility	20.90 (for court areas)	10.50	
Industry charge category			
Low impact industry	51.25	10.50	
Research and technology industry	51.25	10.50	
Warehouse	51.25	10.50	
Essential services charge ca	ntegory		
Emergency services	146.70	10.50	
Health care services	146.70	10.50	
Residential care facility	146.70	10.50	

Non-residential use	Infrastructure charge rates for trunk infrastructure networks other than stormwater (\$ per demand unit of m² of GFA)	Infrastructure charge rates for stormwater trunk infrastructure network (\$ per demand unit of m² of impervious area)		
Veterinary services	146.70	10.50		
Minor uses charge category				
Uses in the minor uses charge category	The infrastructure charge rate is that whe category that the MEDQ decides should regard to the use and the demand placed networks by the use.	d apply for the use having		
Other uses charge category	Other uses charge category			
Uses in the other uses charge category	The infrastructure charge rate is that whe category that the MEDQ decides should regard to the use and the demand placed networks by the use.	d apply for the use having		

# 2.3 Calculating an infrastructure charge

An infrastructure charge will be calculated by:

- i. multiplying the proposed development demand by the infrastructure charge rate in accordance with section 2.2; and then
- ii. subtracting from it the applicable credit calculated in accordance with section 2.4 as follows:

$$IC = (DD \times ICR) - C$$

Where:

IC is the infrastructure charge, which cannot be less than zero.

DD is the development demand represented by the demand unit (i.e. a number/quantity of lots, dwellings, GFA and/or impervious area).

ICR is the applicable infrastructure charge rate.

C is the value of any applicable credit, represented in dollars.

#### 2.4 Credits for infrastructure charges

A credit may be applied to the calculation of an infrastructure charge.

A credit for an infrastructure charge is an amount which is the greater of the following:

- i. the infrastructure charge for each existing lot, calculated using Table 2
- ii. if the premises are subject to an existing lawful use and is serviced by trunk infrastructure, the infrastructure charge for the existing lawful use calculated using Table 3, or
- iii. if the premises were subject to a previous lawful use and is serviced by trunk infrastructure, the infrastructure charge for the previous lawful use calculated using Table 3.

However, a credit is not available:

- i. where the existing lawful use or previous lawful use commenced after the declaration of the PDA as accepted development, and infrastructure charges were not imposed, or
- ii. where the existing lawful use or previous lawful use was an interim use approved by the MEDQ and infrastructure charges were not imposed.

An applicant seeking a credit must provide evidence of the existing lawful use, previous lawful use, creation of the lot or payment of charges for accepted development or an interim use.

The sum of the credits cannot exceed the sum of the infrastructure charges for the approved development.

#### 2.5 Development exempt from infrastructure charges

Infrastructure charges do not apply to development undertaken by the State, or another entity representing the State, for the following purposes:

- i. education
- ii. emergency services
- iii. health care services
- iv. social housing.

## 2.6 Delayed infrastructure charges

On application, the MEDQ may defer infrastructure charges deemed payable for not-for-profit or charitable organisations to assist with the delivery of these facilities within the PDA.

Not-for-profit or charitable organisations eligible for deferred infrastructure charges are defined as per the *Charities Act 2013* (Cth) and are registered with the Australian Charities and Not-for-profits Commission, unless the applicant can provide proof that the organisation provides a public benefit to the community, which is not limited to members of the organisation. The deferral for not-for-profit or charitable organisations applies to non-residential development only.

Deferrals are limited to 50 per cent of the infrastructure charges payable for a PDA development approval - capped to a maximum of \$40,000 per application.

Not-for-profit or charitable organisations may, at any time after the PDA development approval has been issued, but before the infrastructure charge becomes payable, apply for a deferral against the infrastructure charges.

If the MEDQ determines that an organisation meets the eligibility requirements, an infrastructure agreement may be prepared<sup>7</sup> to defer the payment of development charges.

If an infrastructure agreement is proposed, it may include clauses which stipulate that the infrastructure charges will become due and payable if:

- i. the development or organisation no longer provides a public benefit
- ii. the development ceases being used by the not-for profit or charitable organisation, or
- iii. the property is transferred or otherwise disposed of.

### 2.7 Indexation of infrastructure charges

Infrastructure charges will be subject to indexation. Infrastructure charges are indexed on 1 July 2019 and then subsequently on 1 July in each following year. Indexation rates are calculated in accordance with the following formula:

$$= \left(1 + \left[\frac{x - y}{y}\right]\right)^{(\frac{1}{3} - 1)}$$

Where:

x is the PPI for March in the current calendar year.

y is the PPI for the March three years prior to the March in the current calendar year.

### 2.8 Payment of infrastructure charges

An infrastructure charge is payable at the following time:

- i. if the infrastructure charge applies for development that is reconfiguring a lot, prior to the MEDQ approving the plan of subdivision
- ii. if the infrastructure charge applies for development that is a material change of use, prior to the earlier of the following:
  - a. endorsement of a building format plan
  - b. the certificate of classification or final inspection certificate being issued for a building or structure, or
  - c. commencement of use.

The requirements set out in section 6.2 are not intended to be an exclusive list of requirements. The MEDQ retains ultimate discretion as to the terms and execution of any infrastructure agreement.

## 3 Infrastructure offsets and refunds

#### 3.1 Application of an offset

This section applies where an applicant:

- is required to provide a trunk infrastructure contribution in accordance with conditions of a PDA development approval issued under the ED Act<sup>8</sup>
- ii. requests the value of that trunk infrastructure contribution to be offset against infrastructure charges (a trunk infrastructure offset).

#### 3.2 Requesting a provisional trunk infrastructure offset

Once a PDA development approval is issued, or at a later time, (but prior to the provision of land or the commencement of works, which constitute the trunk infrastructure contribution, which is the subject of the offset request), an applicant may submit a request for a provisional trunk infrastructure offset to the MEDQ which must include the following:

- i. the DCOP identification as per the schedule of works in section 4.1
- ii. a detailed scope of works
- iii. a plan showing the spatial extent of the infrastructure contribution
- iv. approved engineering and landscape plans detailing the infrastructure contribution
- v. a statement as to when the infrastructure contribution is required to be provided
- vi. a cost for the infrastructure contribution which:
  - a. for a works contribution, is to be determined in accordance with the parameters in section 3.3
  - b. for a land contribution, is to be determined in accordance with the parameters in section 3.4.

The MEDQ may require the applicant to provide any further information that will assist in deciding a request for an infrastructure offset. The applicant must comply with any request for further information from the MEDQ.

#### 3.3 Works contribution - cost estimate

To determine a cost estimate for a works contribution, an applicant must provide:

i. for a works contribution that has a value of more than \$250,000, evidence that a competitive tender process was conducted with a minimum of three tenders<sup>9</sup> and a tender assessment report detailing the evaluation process

<sup>&</sup>lt;sup>8</sup> See section 94 of the ED Act.

<sup>&</sup>lt;sup>9</sup> A competitive tender process is not mandatory for the provisional offset assessment; however, this will be required prior to a final offset being granted.

ii. for a works contribution that has a value of less than \$250,000 a bill of quantities and estimated overall value of the contribution certified by a Registered Professional Engineer of Queensland (RPEQ) or suitably qualified and experienced estimator based on the scope and approved engineering and landscape plans.

The value of a works contribution may include the following:

- i. the construction cost for the work
- ii. construction on-costs for the work which do not exceed a total of 13 per cent of the construction cost for the following:
  - a. detailed design for the work including but not limited to RPEQ certification, survey, geotechnical, architectural, environmental and landscape design
  - b. project management fees including but not limited to procurement and contract administration
  - c. portable long service leave payment for a construction contract for the work.
- iii. risk and contingencies which do not exceed 10 per cent of the cost of that part of the work in a construction contract which is subject to a contingency.

However, the value of a works contribution may not include the cost of the following:

- i. master planning of the work
- ii. carrying out temporary infrastructure works unless it is an agreed part of the works contribution
- iii. carrying out other infrastructure works which is not part of the agreed works contribution
- iv. decommissioning, removal and rehabilitation of infrastructure identified in ii) and iii), unless it is an agreed part of the works
- v. part of the works contribution provided by another party
- vi. the cost of GST to the extent that GST is payable and an input tax credit can be claimed for the work
- vii. a cost attributable directly or indirectly to the failure of an applicant or a person engaged by the applicant to perform and fulfil a relevant approval for the work
- viii. a cost caused or contributed to by a negligent or wilful act or omission by the applicant or a person engaged by the applicant
- ix. a cost of carrying out non-trunk infrastructure works which is only made necessary by the development and does not contribute to the function of the trunk infrastructure item
- x. a cost of carrying out trunk infrastructure works which relates to another infrastructure network
- xi. the cost involved in a redesign, where that redesign is a result of failing by the applicant or a person engaged by the applicant
- xii. a cost of carrying out infrastructure works in excess of the standard of service for the network of development infrastructure in the infrastructure plan

xiii. a cost of maintaining an infrastructure asset where required by a condition of approval.

#### 3.4 Land contribution - cost estimate

To determine a cost estimate for a land contribution, the MEDQ will attribute the Valuer-General's annual valuations (rate per metre square basis) (in accordance with the Land Valuation Act 2010) which is current at the time the offset is to be granted.

However, in the case where land is within a waterway corridor it will be assumed to be undevelopable, irrespective of zoning, and therefore assessed at \$10 per metre square.

# 3.5 Determining a request for a provisional trunk infrastructure offset

The MEDQ shall decide the request within 30 business days of receiving a properly made application for a provisional trunk infrastructure offset claim or upon receiving the further information requested under section 3.2. In deciding the request, the MEDQ shall:

- i. determine whether a trunk infrastructure offset will be given for the trunk infrastructure contribution against infrastructure charges
- ii. for a works contribution, determine the provisional works offset value either with reference to the schedule cost (or its proportion) in the schedule of works in section 4, or on the basis or the applicant's' cost of works contribution pursuant to section 3.3, whichever is the lesser
- iii. for a land contribution, determine the provisional land offset value to be offset against infrastructure charges with reference to the process outlined in section 3.4 based on the area of land to be contributed.

Having decided the request, the MEDQ must give a notice to the applicant stating the following:

- i. whether a provisional trunk infrastructure offset will be given for the infrastructure contribution
- ii. if a provisional trunk infrastructure offset is to be given:
  - a. for a works contribution, the provisional works offset value, and
  - b. for a land contribution, the provisional land offset value.

#### 3.6 Timing of a final trunk infrastructure offset

An applicant may make an application to the MEDQ for a final trunk infrastructure offset for a trunk infrastructure contribution at the following times:

- i. for a works contribution:
  - a. for a complete works contribution, when the works have been accepted as onmaintenance
  - b. for a partially complete works contribution, when the MEDQ has agreed to accept an uncompleted works bond for the contribution. However, an offset for a partially

completed works contribution can only be for the value of the completed portion and not the uncompleted portion of the works.

ii. for a land contribution, when the trunk infrastructure contribution has been provided in accordance with the relevant PDA development approval.

#### 3.7 Application for a final trunk infrastructure offset

A final trunk infrastructure offset claim must include the following:

- i. a completed infrastructure offset application form
- ii. a copy of the notice(s) issued by the MEDQ under section 3.5
- iii. evidence:
  - a. for a works contribution:
    - i. the accepted on-maintenance works acknowledgement notice, or
    - ii. that an uncompleted works bond has been accepted by the MEDQ, and
    - iii. of the actual cost of the works contribution including a copy of the final certified progress claims, or part thereof which has been completed, certified by a RPEQ, and
    - iv. as-constructed drawings of the works including quality assurance documentation certified by a relevant RPEQ. As-Constructed information shall be in the format that is eligible to the MEDQ such but not limited to PDF, GIS and CAD, and
    - v. for a works contribution which has a value of more than \$250,000, evidence that a competitive tender process was conducted with a minimum of three tenders including the tender assessment report.
  - b. for a land contribution, that the land contribution has been provided in accordance with the relevant PDA development approval.

#### 3.8 Deciding a final trunk infrastructure offset

Within 30 business days of receiving a complete request for a final trunk infrastructure offset under Section 3.7, the MEDQ shall determine the request and issue a notice advising the applicant:

- i. for a works contribution the final offset value is the lesser of the following:
  - a. the value of the provisional offset; or
  - b. the actual cost of the works determined by the MEDQ.
- ii. for a land contribution the final offset value is the lesser of the following:
  - a. the provisional land value; or
  - b. the actual land offset value determined by the MEDQ on the basis of the amount of land actually contributed in accordance with the PDA development approval.

- iii. the balance of any relevant infrastructure charges which are payable and the timing of this payment; and
- iv. the amount of any unused offset.

#### 3.9 Trunk infrastructure refunds

A refund (trunk infrastructure refund) may apply where a notice has been issued by the MEDQ stating the amount of an unused offset in accordance with section 3.8 and the stated amount (or part thereof) remains unused.

An applicant may submit a request to the MEDQ for a refund. The request must contain the following information for each trunk infrastructure contribution the subject of the proposed refund:

- i. that the trunk infrastructure contribution has been lawfully completed
- ii. that the applicant seeks a refund of the unused trunk infrastructure offset
- iii. the value of the unused trunk infrastructure offset.

The MEDQ may require the applicant to provide any further information that will assist in deciding a request for a refund.

The applicant must comply with any request for further information from the MEDQ.

#### 3.10 Entitlement to a refund

Any refund is to accord with the following terms, unless otherwise agreed with the MEDQ:

- i. the refund is not to exceed the value of the unused trunk infrastructure offset
- ii. the refund will only be made available when sufficient infrastructure charges have been collected by the MEDQ for the infrastructure item which is the subject of the trunk infrastructure refund
- iii. the trunk infrastructure refund may be made over a series of payments.

#### 3.11 Determining a request for a refund

The MEDQ shall decide within 30 business days of receiving a properly made application for a provisional trunk infrastructure offset claim for a trunk infrastructure refund or upon receiving the further information requested under section 3.9 and shall issue a notice advising the applicant:

- whether a refund is available or not
- ii. if a trunk infrastructure refund is not available, the reason
- iii. if a trunk infrastructure refund is available, the value of the trunk infrastructure refund, including indexation and details of the timing for payment of the trunk infrastructure refund.

# 4 Trunk infrastructure plans

#### 4.1 Schedules of works

The schedule of works<sup>10</sup> outlines future trunk land and works which are required to service the projected development within the PDA.

Table 4: Schedule of future trunk infrastructure works - Transport

DCOP ID	Map number	Infrastructure type	Infrastructure description	Estimated timing	Land cost	Total Works Cost <sup>1</sup>	Estimated Cost <sup>2</sup>
RD01	2	District/suburban - active transport improvements - upgrade to Seventeen Mile Rocks Road intersection.	Seventeen Mile Rocks Road intersection upgrade	2020	N/A	\$898,601	\$898,601

#### Notes:

- 1 The total works cost is the sum of the following: construction cost, construction on costs and construction contingency.
- 2 The estimated cost is the sum of the following: land cost and total works cost. This is expressed in current cost terms as at the base date (FY 2019/20).

Table 5: Schedule of future trunk infrastructure works – Parks and community facilities

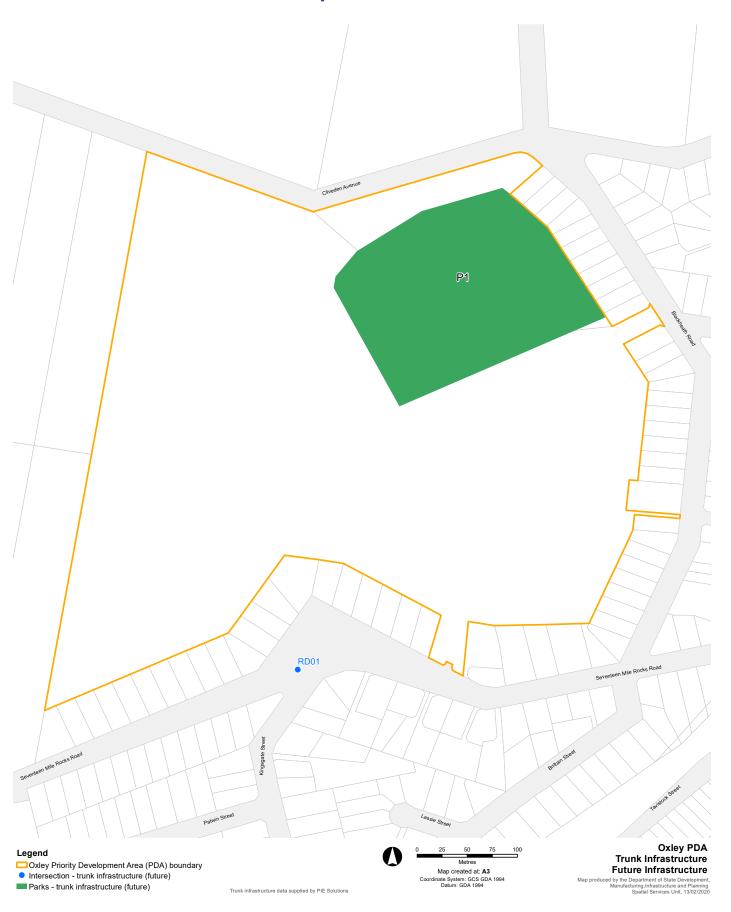
DCOP ID	Map number	Infrastructure type	Infrastructure description	Estimated timing	Land cost	Total Works Cost <sup>1</sup>	Estimated Cost <sup>2</sup>
P1	2	Public Recreation Park	Public Recreation Park Stage 1b and Stage 2 (22,300m²)	2021	\$223,000	\$1,683,868	\$1,906,868

#### Notes:

- 1 The total works cost is the sum of the following: construction cost, construction on costs and construction contingency.
- 2 The estimated cost is the sum of the following: land cost and total works cost. This is expressed in current cost terms as at the base date (FY 2019/20).

<sup>10</sup> The Schedule of Works may be updated from time to time as information regarding infrastructure upgrades which are required to service the PDA is reviewed and/or becomes available.

# 4.2 Trunk infrastructure map



# **5 Definitions**

Unless otherwise expressly stated, a term used in this DCOP has the meaning given to it by:

- i. Table 6 of this DCOP
- ii. if not defined in this DCOP, the Act
- iii. if not defined in the Act, the Oxley PDA Development Scheme
- iv. if not defined in any of the above documents, the Planning Act 2016, or the South-East Queensland Water (Distribution and Retail Restructuring Act) 2009.

Table 6: Defined terms

Column 1	Column 2
Term	Definition
Act	means the Economic Development Act 2012.
credit	means the monetary amount used in the calculation of an infrastructure charge, which is determined in accordance with section 2.4.
detailed scope of works	means a detailed estimated breakdown of elements, materials and quantities required to deliver the infrastructure e.g. drainage, earthworks, landscaping, pavements, relocation of services, retaining walls, signalling, structures.
development charge	means the monetary amount of the charge for development in the PDA or PDA-associated development calculated in accordance with section 2.
existing lawful use	means an existing use which is lawful and already taking place on premises.
final land offset value	means the offset value for a land contribution issued by notice from MEDQ to an applicant in accordance with section 3.8.
final works offset value	means the offset value for a works contribution stated in a notice from MEDQ to an applicant in accordance with section 3.8.
land contribution	means a trunk infrastructure contribution that is land.
MEDQ	means the Minister for Economic Development Queensland as defined in the ED Act.
previous lawful use	means a previous use which was lawful at the time it was carried out and is no longer taking place on premises.
Producer Price Index or PPI	means the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics. If this index ceases to be published – another similar index.
provisional land offset value	means the offset value for a land contribution stated in a notice from MEDQ to an applicant in accordance with section 3.5
provisional works offset value	means the estimated offset value for a works contribution stated in a notice from the MEDQ to an applicant in accordance with section 3.5.
reduction	means the monetary amount used in the calculation of the development charge, which is determined in accordance with section 2.5.

Column 1	Column 2
Term	Definition
trunk infrastructure	means infrastructure which the MEDQ has identified in section 4.
trunk infrastructure contribution	means land contribution or works contribution for trunk infrastructure which is required to be provided in accordance with the conditions of a PDA developer.
trunk infrastructure offset	means an offset for a trunk infrastructure contribution referred to in section 3.
trunk infrastructure refund	means a refund for a trunk infrastructure contribution referred to in section 3.
works contribution	means a trunk infrastructure contribution which is works
works offset value	means the offset value for a works contribution determined by the MEDQ in accordance with the process in section 3.
Valuer-General's valuation	land valuations for all rateable properties provided by the Valuer-General in accordance with the <i>Land Valuation Act 2010</i> .

#### **Contact Us**

Contact Economic Development Queensland by:

Email: edq@dsdmip.qld.gov.au

Phone: (07) 3452 7880

Post: Economic Development Queensland

Department of State Development,

Tourism and Innovation

GPO Box 2202

Brisbane Queensland 4001 Australia

